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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,172	10/23/2003	Kim Cameron	40062.0215US01	2623
27488 7590 01/07/2009 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				
EXAMINER				
MORAN, RANDAL D				
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2435				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/693,172

**Applicant(s)**

CAMERON

**Examiner**

RANDAL D. MORAN

**Art Unit**

2435

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 14-22 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-22 and 24-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date 10/20/2008
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Claim 13 is cancelled. Claims 1-12, 14-22, 24-30 are pending.

The IDS filed 10/20/2008 has been considered.

Below, Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully each reference in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/09/2008 has been entered.

### ***Claim Objections***

The objection to Claim 3 is withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-3, 5-13, 15-23, and 25-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cannon et al. (US 2004/0010696)**, hereafter "Cannon", in view of "**Login-less Simplified Transaction Tool**", hereafter "IBM".

Considering **Claim 1, 11, 21**, Cannon discloses a system to send an identity information document (abstract) comprising: a processor (Fig. 3- item 330); a communication channel connected with the processor ([0056] lines 10-13, Fig. 6B- item 603); and a memory coupled with and readable by the processor (Fig. 6B- item 624), the memory containing a series of instructions that, when executed by the processor, cause the processor to select identity information from a self-identity information store for inclusion in the identity information document ([0057] lines 7-20, [0058], the identity information is selected based upon which application the identity document is being used with), the selected identity information comprises a predetermined subset of identity information relating to the principal in the self-identity information store and wherein the predetermined subset of identity information is specific to a recipient ([0071]

lines 7-10), read the selected identity information from a self-identity information store ([0057 lines 7-20), generate the identity information document to include the selected identity information and at least a first key ([0064] lines 1-9), the identity information document signed using a second key paired with the first key ([0064] lines 1-9); and send the identity information document to the recipient connected to the communication channel ([0064] lines 8-17).

Cannon does not explicitly disclose the document is sent to establish an identity of the principal at the recipient. Although, it is inherent that a user had to be previously registered and verified with the IDSP.

IBM discloses the document is sent to establish an identity of the principal at the recipient (§ 2-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Cannon by using the described technique to register users as taught by IBM to eliminate the whole process of the applicant having to logon to the system (IBM- § 1).

Considering **Claims 2, 3, 12, 13, 22, and 23**, the combination of Cannon and IBM discloses selecting identity information comprises selecting a subset of identity information from the self-identity information store based on user input from a Graphical User Interface (GUI) (IBM - § 2: user inputs information using HTML form).

Considering **Claims 4, 14, and 24**, the combination of Cannon and IBM discloses generating an identity document comprises encoding the selected

identification information in an eXtensible Mark-up Language (XML) document (IBM- ¶ 3).

Considering **Claims 5, 15, and 25**, the combination of Cannon and IBM discloses the selected identity information comprises identity claims of a principal originating the identity information document (Cannon- [0065] lines 1-7, Fig. 8- item 602, [0071] lines 7-10, IBM- ¶ 2).

**2. Claims 6, 16, and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cannon** and **IBM** in view of **Lortz (US 2003/0115342)**, hereafter "Lortz".

Considering **Claims 6, 16, and 26**, the combination of Cannon and IBM does not explicitly disclose the selected identity information comprises use policies for defining uses to which the contents of the identity information may be put.

Lortz discloses the selected identity information comprises use policies for defining uses to which the contents of the identity information may be put ([0018], [0025]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the identity information created by the combination of Cannon and IBM to include use policies to help facilitate the need for E-Commerce and other organizations the capability to delegate limited privileges to a third party without revealing the identity of the third party, while still providing confidentiality, authentication, integrity, and non-repudiation (Lortz- [0008] lines 15-19).

**3. Claims 7-10, 17-20, and 27-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cannon** and **IBM** in view of **Fischer (US 6,216,229)**, hereafter "Fischer" in further view of **Kamperschroer (US 6,434,399)**, hereafter "Kamperschroer".

Considering **Claims 7, 17, and 27**, the combination of Cannon and IBM discloses a system to receive an identity information document at a recipient from an originator for use in future recognition of the originator (IBM- ¶ 1, ¶ 4) comprising: a processor (Cannon- [0061] lines 1-6, Fig 6B- item 605); a communication channel connected with the processor (Cannon- [0056] lines 10-13, Fig. 6B- item 603); and a memory coupled with and readable by the processor (Cannon- Fig 6B- item 636), the memory containing a series of instructions that, when executed by the processor, cause the processor to receive a signed identity information document from an originator (Cannon- [0064] lines 8-9, IBM- ¶ 3-4), wherein the signed identity information document contains selected identity information comprising a subset of identity information relating to the originator in the self identity information store and wherein the subset of identity information in specific to the recipient (Cannon- [0057], [0058], [0071] lines 7-10), determine whether identity information in the identity information document is reliable (IBM- ¶ 3), and save the identity information in a recognized identity information store if the identity information is determined to be reliable (IBM- ¶ 3- the user is registered to the database), the recognized identity information store being used for future recognition of the originator (IBM- ¶ 3-4).

The combination of Cannon and IBM does not explicitly disclose to determine whether to verify the identity information if the identity information is not reliable.

Fischer discloses determine whether to verify the identity information if the identity information is not reliable (column 11- lines 18-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Cannon and IBM by determining whether to verify the identity information if the identity information is not reliable as taught by Fischer for the benefit of increasing the security of the system. More reliable or more authenticated credential documentation may be required together with any other information necessary to confirm the identity of the applicant (Fischer- column 11- lines 48-51).

The combination does not explicitly disclose if the identity information is not reliable, save the identity information in the recognized identity information store with a flag indicating the identity information is not reliable.

Kaperschroer discloses if the identity information is not reliable, save the identity information in the recognized identity information store with a flag indicating the identity information is not reliable (column 10- lines 53-57, Fig. 7, Fig. 8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination by saving the identity information in the recognized identity information store with a flag indicating the identity information is not reliable as taught by Kamperschoer for the benefit of when this logon procedure miscarries, then this base station, for example, is marked "invlaid" in a list and the same procedure, including the logon procedure is implemented with a different base station (Kamperschoer- column 9- lines 35-39).



Considering **Claims 8, 18, and 28**, the combination discloses responsive to determining to verify the identity information (Fischer- column 11- lines 31-35), receiving an Identification Recognition Number (IRN) from the initiator of the identity information document (Fischer- Fischer- column 11- lines 35-54), determining whether the IRN is correct (Fischer- column 11- lines 65-67, column 12- lines 1-4) and, responsive to the IRN being correct, saving the identity information in the recognized identity information store (IBM- ¶ 3).

Considering **Claims 9, 19, and 29**, the combination discloses determining whether the identity information is reliable is based on a user input through a graphical user interface (Fischer- column 11- lines 35-54).

Considering **Claims 10, 20, and 30**, the combination does not explicitly disclose determining whether to verify the identity information is based on a user input through a graphical user interface. Fischer suggests a trustee determines whether an applicant appears to be legitimate (column 11- lines 3-6).

Official notice is taken that it would have been obvious and was well known in the art at the time of the invention to receive an input from a user into a graphical user interface. In view of the combination, one would have been motivated to allow user input to determine if a user was legitimate or if more information was required to ensure the correct identity of the user (Fischer- column 11- lines 48-51)

### ***Response to Arguments***

Regarding **Claims 1, 11, and 21**, applicants arguments have been fully considered but are not persuasive. With respect to applicants argument that the

combination fails to disclose "selecting identity information from a self-identity information store for inclusion in the identity information document, wherein the selected identity information comprises a subset of identity information relating to the principal in the self-identity information store." Examiner disagrees and directs the application to Cannon [0057], [0058], [0071]. Cannon discloses "Memory, among other things, stores data such as sample print data, reference print data, identity data, individual private key, sample minutia data, and/or reference minutia data. (i.e. the superset of data) Different combinations of all or part of this data may be stored depending upon a particular application of the present invention." "The content of a print document or an identity document can vary and depends upon the particular application of the present invention." (i.e. the subset of data) Cannon further discloses "Identity data 712 can be any type of data associated with individual 601 including but not limited to name, email address, password/user name, social security number or any other identifying information." (i.e. information relating to the principal). Therefore, the combination discloses "selecting identity information from a self-identity information store for inclusion in the identity information document, wherein the selected identity information comprises a subset of identity information relating to the principal in the self-identity information store". The ability to select different pieces of identity information reads on selecting a subset.

Regarding **Claims 7, 17, and 27**, applicant's arguments have been fully considered but are not persuasive. Please refer to response to arguments regarding Claims 1, 11, and 21.

Regarding **Claim 21**, applicant's arguments have been fully considered but are not persuasive. With respect to applicants argument that the combination fails to teach ""sending the first identity information document to the first recipient to establish an identity of the principal at the first recipient and sending the second identity information document to the second recipient to establish an identity of the principal at the second recipient," applicant is directed to Cannon – [0053], Fig. 5B. Cannon discloses using the wireless transceiver biometric device to provide security and/or various transactions to a plurality of devices for numerous purposes including transactions which require multiple identifications (i.e. first and second recipients).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randal D. Moran whose telephone number is 571-270-1255. The examiner can normally be reached on M-F: 7:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. D. M./  
Examiner, Art Unit 2435  
12/20/2008

/KIMYEN VU/  
Supervisory Patent Examiner, Art Unit 2435